IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Writ Petition No. 2107 of 2003

Abdul Rehman Sayyed Usman and Ors. .. Petitioners
V/s.
Municipal Corporation of Gr. Mumbai .. Respondents

Mr. A.C. Singh i/b. Mr. D.R. Shah for the Petitioners
Ms. A.P. Savla for the Respondents-BMC.

(For Speaking to Minutes : In Chamber at 2:45 pm.)

CORAM : DR. S. RADHAKRISHNAN &
V.M. KANADE, JJ.
DATED : 05.10.2005.

P.C.:-

1. Heard the learned counsel for the Petitioners and the Respondents. The learned counsel for the Respondent-Corporation Ms. Savla states that there has been an error earlier when at the time the above Petition was disposed of, the learned counsel for the Corporation at that time had erroneously stated that the revised rates will be effective from October, 2002, which is incorporated in our order dated 9.12.2003. Subsequently, in the order dated 16.12.2003, on which date, the learned counsel for the Petitioners contended that the revised rates should be effective from April, 2003. Accordingly, by our order dated 16.12.2003, we had corrected the date, as the revised rate will be effective from April, 2003.

2. Ms. Savla, the learned counsel for the Respondents apologises for all these confusions and has submitted an Affidavit dated 15.9.2005, wherein the Standing

Committee resolutions are annexed, which clearly

indicate that the revised rates to be effective from 16.8.2002. Accordingly, in our original order dated 9.12.2003, in paragraph 3, the date should stand corrected as 16.8.2002 and not October, 2002 being the date on which the revised rate came into effect. Accordingly, our order dated 9.12.2003 stands corrected.

3. Needless to state that in view of the above, corrections carried out by our order dated 16.12.2003 does not survive.

(DR. S. RADHAKRISHNAN, J.)

(V.M. KANADE, J.)